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January 17, 2002 LB 824

SPEAKER KRISTENSEN: Would you respond?

SENATOR BRASHEAR: Yes, Mr. Speaker.

SENATOR CHAMBERS: Speaking about the portion of the bill in Section 8 that deals with motor vehicle homicide, it...this is the language: A person who causes the death of an unborn child unintentionally while engaged in the operation of a motor vehicle in violation of the law of the state or in violation of any city or village ordinance commits motor vehicle homicide of an unborn child. The underlying triggering act has to be the operation of a motor vehicle in violation of a state law or an ordinance, would you agree?

SENATOR BRASHEAR: Yes.

SENATOR CHAMBERS: Are you operating a motor vehicle illegally if your license has been suspended?

SENATOR BRASHEAR: Yes. You're not authorized to operate it.

SENATOR CHAMBERS: If you have no proof of insurance, are you illegally operating it?

SENATOR BRASHEAR: Yes.

SENATOR CHAMBERS: If you have improper display of plates, are you operating it illegally?

SENATOR BRASHEAR: Yes.

SENATOR CHAMBERS: And with a broken taillight?

SENATOR BRASHEAR: Yes, sir.

SENATOR CHAMBERS: So there really is nothing in the language of this bill that would suggest that a person is operating a motor vehicle in a careless or dangerous manner, is there?

SENATOR BRASHEAR: Yes, there is, in further subsections. When